

O 32-1 Leg - proposed amend to  
Espionage act

Act June 10, 1933 (58 Stat 122, 22 USC 135)

that whosoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any message prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or message, or any message which was obtained while in the process of transmission between any foreign government and its diplomatic mission to the United States, shall be fined ..

Certainly would seem to recognize that we are engaged in secret activities.

Doesn't apply to Comint or anything except dip.

8321

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Supreme Court proceedings for Monday May 6, 1946  
extract

"Neither the plain language nor the context,  
nor the exact translation of any message or dispatch  
enclosed or enciphered by any department or agency  
of the United States or by any government allied with  
the United States in war shall be placed on  
record in pleading without proof of the  
receipt or agency of the United States or allied  
government which enclosed or enciphered such message  
or dispatch. A paraphrase of the substance of  
such message or dispatch, prepared and certified  
as such by an officer of such department or  
agency, shall be admissible for all purposes  
for which the plain language, <sup>or</sup> dispatch would  
serve for this suit, have been admitted.

October Term, 1945